

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

IN RE:

RODNEY LEE LAMBIRTH

Debtors.

§
§
§
§
§

**CASE NO. 16-70194
CHAPTER 13**

**MOTION BY DEBTOR TO
CONVERT CHAPTER 7 CASE TO CHAPTER 13**

NOW comes **RODNEY LEE LAMBIRTH** (“Debtor”), and file this their *Motion by Debtors to Convert their Chapter 7 Case to Chapter 13* and would show:

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO
YOUR INTERESTS.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY (21) DAYS
FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN
MAY BE GRANTED WITHOUT A HEARING BEING HELD.**

**A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE
HELD.**

1. This Court has jurisdiction of this matter under 28 U.S.C. §§ 1334 and 157, and venue under 11 U.S.C. §§ 1408 and 1409. This Motion is brought pursuant to 11 U.S.C. § 706(a), Federal Bankruptcy Rule 1017(f)(2), and Local Bankruptcy Rule 1017(a).

2. Debtors hereby give notice of and move to convert their bankruptcy case from Chapter 7 to Chapter 13 under 11 U.S.C. § 706(a), and file this Motion for approval thereof by the Court under Local Rule 1017(a) and 9014(a).

WHEREFORE, Debtors pray that this Court approve the conversion of their Chapter 7 case to one under Chapter 13 of the U.S. Bankruptcy Code, and for such other and further relief to which they may be entitled.

DATED: **March 22, 2017**

Respectfully submitted,

Alvaro Martinez, Jr.
Attorney at Law
1703 N. Big Spring
Midland, Texas 79701
432.570.0056 | 432.570.0060

/s/Alvaro Martinez, Jr.
Alvaro Martinez, Jr.
State Bar No. 24032576
ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

On this day a true and correct copy of the above-entitled document was forwarded via electronic means as listed on the Court's ECF noticing system or by United States First Class Mail, postage paid to the following:

Gary W Norwood, Esquire
Chapter 13 Trustee
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Midland TX 79702-2331

U.S. Trustee
Western District of Texas
PO Box 1539
San Antonio TX 78295

Rodney Lee Lambirth
9018 W 57th
Odessa, TX 79764

J. Michael Cunningham
1209 W. Illinois
Midland, TX. 79702
Attorney for Joe Blanco
Via fax 432.620.0849

Dated: **March 22, 2017**

/s/Alvaro Martinez, Jr.
Alvaro Martinez, Jr.

Debtor(s): **Rodney Lee Lambirth**

Case No: **16-70194**

Chapter: **7**

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MIDLAND DIVISION**

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Any Creditor With Arbitration A

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